

EXHIBIT 1

INTRODUCTION

Respondent United Faculty of Grossmont-Cuyamaca PAC (the “PAC”) was a county general purpose recipient committee, formed for the purpose of supporting candidates for the governing board of the Grossmont-Cuyamaca Community College District. Respondent PAC was terminated on January 31, 2001. At all times relevant to this matter, Respondent Melvin Amov was the treasurer of Respondent PAC.

In 1997, during the second semi-annual reporting period of June 1, 1997 through December 31, 1997, Respondent PAC received \$13,675 in contributions, and thereby qualified as a “recipient committee” under the Political Reform Act (the “Act”).¹ As such, Respondents were required to comply with specified campaign reporting provisions of the Act.

Subsequent to Respondent PAC qualifying as a recipient committee, Respondents failed to file four (4) semi-annual campaign statements, as required under the Act, for the four semi-annual reporting periods between July 1, 1997 and June 30, 1999.

For the purposes of this Stipulation, Respondents’ violations of the Political Reform Act are stated as follows:

- COUNT 1:** Respondents United Faculty of Grossmont-Cuyamaca PAC and Melvin Amov failed to file a semi-annual campaign statement by the February 2, 1998 due date, for the reporting period July 1 to December 31, 1997, in violation of section 84200, subdivision (a).
- COUNT 2:** Respondents United Faculty of Grossmont-Cuyamaca PAC and Melvin Amov failed to file a semi-annual campaign statement by the July 31, 1998 due date, for the reporting period January 1 to June 30, 1998, in violation of section 84200, subdivision (a).
- COUNT 3:** Respondents United Faculty of Grossmont-Cuyamaca PAC and Melvin Amov failed to file a semi-annual campaign statement by the February 1, 1999 due date, for the reporting period July 1 to December 31, 1998, in violation of section 84200, subdivision (a).

¹ The Political Reform Act is contained in Government Code sections 81000 through 91014. All statutory references are to the Government Code unless otherwise indicated. The regulations of the Fair Political Practices Commission appear at California Code of Regulations, Title 2, sections 18109-18996. All regulatory references are to Title 2 of the California Code of Regulations.

COUNT 4: Respondents United Faculty of Grossmont-Cuyamaca PAC and Melvin Amov failed to file a semi-annual campaign statement by the August 2, 1999 due date, for the reporting period January 1 to June 30, 1999, in violation of section 84200, subdivision (a).

SUMMARY OF THE LAW

An express purpose of the Act, as set forth in Section 81002, subdivision (a), is to ensure that the contributions and expenditures affecting election campaigns are fully and truthfully disclosed to the public, so that voters may be better informed, and so that improper practices may be inhibited. The Act therefore establishes a campaign reporting system designed to accomplish this purpose of disclosure.

Duty to File Semi-Annual Campaign Statements

Section 84200, subdivision (a) requires recipient committees to file two semi-annual campaign statements each year. The first semi-annual campaign statement covers the reporting period January 1 to June 30, and must be filed by July 31. The second semi-annual campaign statement covers the reporting period July 1 to December 31, and must be filed by January 31 of the following year.

Section 82013, subdivision (a) includes within the definition of “committee” any person or combination of persons who directly or indirectly receives contributions totaling one thousand dollars (\$1,000) or more in a calendar year. This type of committee is commonly referred to as a “recipient” committee.

Under the Act, there are different kinds of recipient committees, defined by the type of election activity they engage in. A recipient committee that is formed or exists primarily to support or oppose more than one candidate or ballot measure is defined in Section 82027.5, subdivision (a) of the Act as a “general purpose committee.” A general purpose committee that is formed or exists primarily to support or oppose candidates or measures voted on in only one county or in more than one jurisdiction within a single county is defined as a “county general purpose committee.”

Section 84215, subdivision (d) requires all county general purpose recipient committees to file the committee’s campaign statements with the Clerk of the county in which the committee is domiciled.

Treasurer Liability

Section 81004, subdivision (b), Section 84100, and Regulation 18427, subdivision (a), require a committee's treasurer to ensure that the committee complies with the requirements of the Act concerning the receipt and expenditure of funds, and the reporting of such funds. A committee's treasurer may be held jointly liable, along with the committee, for any reporting violations committed by the committee.

SUMMARY OF THE FACTS

Respondent United Faculty of Grossmont-Cuyamaca PAC was a county general purpose recipient committee, created to support candidates for the governing board of the Grossmont-Cuyamaca Community College District. Respondent PAC was terminated with the filing of a termination statement on January 31, 2001. At all times relevant to this matter, Respondent Melvin Amov was the treasurer of Respondent PAC.

During the period July 1, 1997 through June 30, 1999, Respondent PAC received \$16,385 in contributions and made \$17,334 in expenditures. As such, both Respondent PAC and Respondent Melvin Amov were required under the Act to file four semi-annual campaign statements reporting this activity.

Following contact by Enforcement Division staff in January 2001, Respondents filed the four delinquent semi-annual campaign statements, as well as a statement of termination, on January 31, 2001.

The semi-annual reporting periods, the dates by which the semi-annual campaign statements were to be filed, and the date the semi-annual statements were actually filed, is set forth below:

Count	Semi-Annual Reporting Period	Date Report Due	Date Report Filed
1	July 1, 1997 – December 31, 1997	February 2, 1998	January 31, 2001
2	January 1, 1998 – June 30, 1998	July 31, 1998	January 31, 2001
3	July 1, 1998 – December 31, 1998	February 1, 1999	January 31, 2001
4	January 1, 1999 – June 30, 1999	August 2, 1999	January 31, 2001

By failing to timely file four semi-annual campaign statements, as set forth above, Respondent committed four violations of Section 84200, subdivision (a).

CONCLUSION

This matter consists of four counts, which carry a maximum possible administrative penalty of Eight Thousand Dollars (\$8,000).

The typical stipulated administrative penalty for the late filing of a semi-annual campaign statement has historically ranged from \$1,000 to \$1,500 per statement. In this case, as the violations appear to be inadvertent, an administrative penalty approximating the lower end of the penalty range is appropriate.

The facts of this case therefore justify imposition of the agreed upon penalty of Four Thousand Dollars (\$4,000).